

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

RUOPIAN CHEN and XUJIA WANG,

Defendants.

USDS SDNY
DOCUMENT
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DATE FILED: 4/22/08

07 CR 730 (CM)

PROPOSED ORDER

WHEREAS this Court entered an order in this matter on January 28, 2008 (the "January 28 Order");

WHEREAS, in the January 28 Order, among other things, the Court directed the United States Attorney's Office ("USAO") not to enforce the forfeiture provisions of Defendants' plea agreements with the USAO for a period of thirty (30) days from the date of the issuance of the January 28 Order, so as to give Defendants and the Securities and Exchange Commission ("SEC") time to finalize the settlement of the civil case *SEC v. Wang and Chen*, 07 CV 3715 (AKH) (S.D.N.Y.);

WHEREAS, upon a letter request by Defendants, the Court entered an order on February 22, 2008, directing the USAO not to enforce the forfeiture provisions of Defendants' plea agreements with the USAO for a period of an additional sixty (60) days from the date of the issuance of the order;

WHEREAS that 60-day period is set to expire on April 25, 2008;

WHEREAS the SEC Staff has advised Defendants that the processing of the settlement documents is well underway at the SEC, but not yet complete;

WHEREAS the SEC Staff has advised Defendants that, absent extraordinary circumstances, the processing of the settlement papers by the SEC should be complete within another ninety (90) days; and

WHEREAS the Government does not object to a further extension of the expiration date, it is hereby:

ORDERED that the USAO shall not enforce the forfeiture provisions of Defendants' plea agreements with the USAO for a period of ninety (90) days from the date of the issuance of this order.

This 22 day of April, 2008.



Hon. Colleen McMahon
United States District Judge